

ASSEMBLY BILL

No. 2598

Introduced by Assembly Member Hagman

February 21, 2014

An act to amend Section 202 of, and to repeal and add Section 201 of, the Business and Professions Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2598, as introduced, Hagman. Department of Consumer Affairs: administrative expenses.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes the Department of Consumer Affairs to collect, through a proper claim made to the Controller, a board's pro rata share of the department's administrative expenses.

This bill would require the department to make a claim to the Controller each month against any of the funds of a board for that board's pro rata share of the department's estimated monthly administrative expenses, and would further require the department to base the claim on the amount of filled positions working for a board. This bill would prohibit the Controller from paying the department for a board's pro rata share of total administrative expenses for any fiscal year in an aggregate amount over 20% of a board's budget for any fiscal year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 201 of the Business and Professions Code
2 is repealed.

3 ~~201. A charge for the estimated administrative expenses of the~~
4 ~~department, not to exceed the available balance in any~~
5 ~~appropriation for any one fiscal year, may be levied in advance on~~
6 ~~a pro rata share basis against any of the funds of any of the boards,~~
7 ~~bureaus, commissions, divisions, and agencies, at the discretion~~
8 ~~of the director and with the approval of the Department of Finance.~~

9 SEC. 2. Section 201 is added to the Business and Professions
10 Code, to read:

11 201. The department shall make a claim to the Controller each
12 month against any of the funds of a board for that board's pro rata
13 share of the department's estimated monthly administrative
14 expenses. The pro rata charge shall be based on the amount of
15 filled positions working for a board and shall not be based on the
16 number of positions allocated to the board.

17 SEC. 3. Section 202 of the Business and Professions Code is
18 amended to read:

19 202. (a) Upon proper presentation of ~~claims~~ *a monthly claim*
20 *made pursuant to Section 201* by the department to the ~~State~~
21 Controller, the ~~State~~ Controller shall, *in an amount not to exceed*
22 *the available balance in an appropriation*, draw his or her warrant
23 against any of the funds of any one of the boards to cover its *pro*
24 *rata* share of the estimated *monthly* administrative expenses of the
25 department. *The Controller shall not draw warrants to pay the*
26 *department for a board's pro rata share of total administrative*
27 *expenses for any fiscal year in an aggregate amount that exceeds*
28 *20 percent of a board's budget for that fiscal year.* The fund of
29 one board shall not be used to pay the expenses of any other board.

30 (b) ~~Nothing in this~~ *This* section or ~~in~~ Section 401 shall *not*
31 prohibit the transfer of funds for a release time bank of any board,
32 commission, or bureau of the department pursuant to a
33 memorandum of understanding on the same terms and conditions
34 applicable to other state agencies.